THE HANDWRITING ON THE WALL.

Established June 6, 1870.

SALT LAKE CITY, UTAH, TUESDAY, MARCH 5, 1907

12 PAGES. Price, Five Cents.

Made Strong Plea for the West in Recent Speech.

SENATE.

(Special to The Herald.) debate in the senate on the forestry reserve question, Senator William A. Clark of Montana spoke as follows:

ate for a short time only, to make some bervations upon this question, which such great importance to the western country, and, indeed, to the entire

"In reply to what the distinguished senator from Wisconsin (Mr. Spooner) has said with regard to the rights of the government in the disposition of the public domain, we all acknowledge hat, but we claim that the hundreds of thousands of men and women who have gone to the western country, braved the perils and endured the hardships of frontier life are also entitled to some consideration. It is those people who have given to the forests of the western country any value they possess; and you will find, Mr. President, that there are no more loyal or patriotic people than those who have developed and occupied that great country of the west, and none more proud of their citizenship or mindful

Keynote of the Question.

"Mr. President, the senator from Maho (Mr. Heyburn) yesterday, in his very able argument upon this question, in my opinion touched the keyfor the best solution of the quesintroduce a bill during the present ses-sion of congress covering that proposi-tion, but of course it is now too late o have it fully considered. However, am impressed with the fact that the scussions which have obtained upon this floor demonstrate conclusively the

portance of such a measure.
"It has been shown that what may to the people of California, is not applicable or satisfactory to the state of Idaho or the state of Montana, and them. side, the conditions are very different. As the senator from Idaho said, that state has its high and imperishable glaciers, which are sources of everlasting streams of water, whereas in Montana the situation is also said. The stream of them.

District Attorney Baker asked Senator Fulton if he knew William E. Burke and William C. Goselin of Oreland the situation is also said. and the situation is different, and the country is on a relatively lower plane. and we will have to conserve the water re in order to get the best use of it. Each state and territory knows better than the government the conditions existing within its borders and is more capable than the government to make a proper and satisfactory disposition

of the public lands. Sentiment in Montana. "Mr. President, I wish to say that the

SENATORIAL COURTESY.

and I want to have it understood that whatever I may submit on this question refers more particularly to the people and the conditions existing in that state—is, with the exception perhaps of some large landed interests that have been affected by the order of the president with regard to fencing, a unit in opposition to the proposition of leasing the public domain for grazing purposes. Every organized livestock association in that state condemns it.

The is true the amendment covering this question went out yesterday on a point of order, and very justly so, because there is no one, I believe, who could conscientiously support it. But. Mr. President, you will find that same proposition is not dead. It will be found bobbing up next year and problems as the proposition is not dead. It will be found bobbing up next year and problems and the proposition of proposition is not dead. It will be found bobbing up next year and problems are not proposition in that sum proposition is not dead. It will be found bobbing up next year and problems are not proposition is not dead. It will be found bobbing up next year and problems are not proposition in the proposition in the proposition is not dead. It will be found bobbing up next year and problems are not proposition in the pr sentiment of the people of Montana— and I want to have it understood that bly the year following, as its promotacked onto an appropriation bill dur- of congre ing the last days of the session, but should be presented in a well-considered bill with all of the main provisions set out clearly, to be passed upon by ongress, and no measure involving the ment of an army of men and expenditure of millions of dollars ld be allowed to pass that would be perated under such rules and regula- getting jurors. ms as may be prescribed by a secretary of one of the departments, absolutely unrestricted. The people of the west are tired of this long-range govits svil results were closely observed by the special committee on Indian afalrs which visited the Indian Terrifluts of the Five Civilized Tribes, and regret very much that the report of it committee has not yet been pub-

Opposed to Rapid Extension.

Mr. President, we are not opposed st reserves in the western counbut we are opposed to the rapid on of the system which is now too Continued on Page 2.

Senator Clark of Montana So Testified Senator Charles W. Fulton of Oregon Upon Witness Stand.

VOICED GENERAL PROTEST OTHERS THOUGHT SO, TOO

ARRAY OF FACTS PRESENTED IN NAMES OF SOME OF THEM GIVEN.

Washington, March 4.-When the Washington, March 4 .- In the recent trial of Representative Hermann of Oregon, charged with the destruction of public records while he was commissioner of the general land office, was resumed today, witnesses were examined to determine the method of handigence of the members of the sen- dling the mail in Commessioner Hermann's office

The first witness examined was Richis one of such far-reaching results and ard H. Dalton, now a cierk in the land office, but who at the time of Her-mann's incumbency as commissioner was a messenger in that office. His testimony did not / disclose anything special beyond that already developed.

Oregon Mail "Private.

Horace Wilcox, also a clerk in the land office, who was a messenger of the commissioner at the time Mr. Hermann was in office, testified that all stamped letters addressed to Mr. Hermann from Oregon were sent to the commissioner's desk without being opened. The rest of the mail was opened either by the chief clerk or by somebody else. He made it clear that all Oregon mail went to the commissioner direct. Several other employes of the gen-

eral land office were examined by District Attorney Baker, with a view to showing that the letter-press books destroyed were government records and not merely personal affairs of Mr. Hermann. In each instance the district attorney submitted to the witness letters from the files of the land office, some of which were identified. The witness indicated that in the natura! tion which we are now discussing, when he suggested that the public lands of the United States should be ceded to the respective states in which they are located. I had the honor to was by this evidence laying a founda-

Senator on the Stand.

Senator C. W. Fulton of Oregon, responding to an inquiry as to Mr. Her-mann's integrity and honesty, said: "So far as I know, his reputation is

He further testified that he had heard other people speak highly of Mr. Hermann, and gave the names of some of

ters seem determined to fasten that un-just measure upon the country. Should it come up again it come up again it. Just measure upon the country. Should senate decided not to disturb the audience it come up again, it should not be that had gathered to witness the closing

FAMOUS PRIEST DEAD. Cincinnati, March 4—Rev. John N. Poland, widely known in the Catholic church, died in this city today from Bright's disease.

PLUM IN HAWAII.

Washington, March 4.—The president today sent to the senate the nomination of George F. Renton to be postmaster at Ewa, Hawaii.

UNE MAN KILLED AND ANOTHER WOUNDED WHILE RESISTING KANSAS TRAIN ROBBERS

Topeka, Kan., March 4.—Missouri Pacific passenger train No. 310, eastbound, was boarded by two robbers at Pittsburg, kan., tonisht and the passengers were held up and robbed while the train was in motion between Pittsburg and Cornell, the next station. The robbers commenced their work as soon as the train was out of the Pittsburg 3t, was shot and killed while resisting kansas City named Westlake was Sounded.

There were few passengers on the main and the robbers secured only a ciffe passenger train No. 310, eastbound, watches and revolvers. They left the watches and revolvers. They left the train as it was slowing down for Cornell and made their escape.

A telephone message from Pittsburg says that a switch engine carrying a posse has left that city, but so far the robbers have not been captured.

The country surrounding Pittsburg is thickly settled and is dotted with scores of villages and mining camps. It is reported that the news that a miner was killed by the bandits has spread rapidly and that the miners are aroused and will make an attempt to capture and lynch the men.



Senator Spooner Resigns.

nite-Miners' Union Will Elect Officers Today.

MORE MONEY OFFERED.

Danville, Ill., March 4.—The trial of the charge of manslaughter, in consequence of the fatal results of the fire in the Iroquois theatre in Chicago in 1903, began today in the circuit cturt. Considerable trouble was experienced in getting jurors.

DIED ABOARD TRAIN.

El Paso, Tex., March 4.—As the Mexican Chertal passenger train was crossing the Rio Grande tonight coming in from Mexico, Senor Manual Marier, a musician and composer famous in Mexico, breathed his last, He was en route to California to visit a son and was ill when he left San Luis Potosi.

Their Employes.

St. Paul, March 4.—Following the agreement entered into by forty-two general ment entered into by forty

per month.

Passenger baggagemen, \$6 a month.

Passenger brakemen and baggagemen, \$5
per month.

Freight conductors and firemen, 10 per cent increase, based upon the schedule prevailing prior to Nov. 1, 1905.

Proportionate and equitable offers of increases will be tendered to all branches of the service.

FRAUD CASE POSTPONED.

Shawnee, Okla., March 4.—The case against Martin J. Bentley, former Indian agent, on a charge of having caused the removal of the Kickapoe Indians to Mexico in order to get their Oklahoma lands on the market, has been continued to March 12, and the federal grand jury investigating the alleged fraud been postponed until that date. A committee of United States senators recently named to probe the alleged frauds will arrive here within a few days.

MOTHER IS MISSING.

INSPECTOR MURDERED.

of Commerce Commission in Washington.

ing the action of the miners, and a crisis appears less likely.

Through President Ogstead the Butte stereotypers' union today submitted a statement to the daily papers offering to return to work at the scale prevailing Jan. 27, 1907, which was 50 cents per day less than the scale demanded at the time of the lockout, provided the publishers will endeavor to reach an agreement with the other unions involved. No reply has been received from the publishers.

The dataground. Ar. Har-riman also inclined to the opinion that there gradually would be an increase in the individual defendants. The defendants will then have thirty days in which to reply to the allegations contained in the butter for the country and the roads than the four feet eight and one-half inches standard gauge.

The commission has set for April the arguments on the testimony taken at the Harriman hearing in New York The commission has set for April the arguments on the testimony taken at the Harriman hearing in New York and the counsel for the plaintiff.

the Harriman hearing in New York

Extent of Concessions of Railroads to ABE RUEF DODGES TRIAL

plish indefinite delay of the criminal proceedings against him," Abraham Ruef today caused his bondsmen to surrender him to the sheriff and then went before Superior Judge Hebbard with an application for a temporary writ of habeas corpus in the matter of the five felony counts returned against him by the grand jury. The writ was granted and made returnable at 1:30 o'clock in the afternoon.

At that hour Judge Hebbard denied

o'clock in the afternoon.

At that hour Judge Hebbard denied the writ and remanded Ruef to the custody of the sheriff, but granted the defendant's application for a writ of error. This had the effect of staying the ror.

fendant's application for a writ of error. This had the effect of staying the trial in the superior court and enabling an appeal. Judge Hebbard fixed new bonds in the total sum of \$50,000, and they were at once furnished by the sureties who earlier in the day had surrendered Ruef to the sheriff.

This done, Ruef's attorneys made application to the United States supreme court, through the clerk of the United States circuit court here, for a permanent writ of error—which, should it be granted, would relieve the accused from further prosecution of the felonies on which he stands indicted. The necessary preliminary papers were issued by the circuit court clerk, and Ruef now has sixty days, or until May 2, in which to prepare the record on appeal and forward it to Washington.

Ruef bases his appeal to the highest court in the land on the constitutional contention, already denied by Superior Judges Dunne and Hebbard in distinct proceedings, that one of the members of the grand jury which indicted was disqualified as a grand juror because he had served as a petty juror the preceding year, and that therefore the indictments are technically void.

Newspaper Shut-Down Indefi- E. H. Harriman Visits Officers Counsel for Plaintiff in Celebrated Case Will Meet Streeter Today.

sired to ascertain whether the senator remembered having written to Commissioner Hermann requesting him to write District Attorney Hall of Oreganizer Baker of the International Typoraphical union unanimous to Butte ten do not remember having written a letter to Mr. Hermann referring to Burke and Goselin.

SENATORIAL COURTESY.

Over 150 Nominations Hung Up at Clear of Service and a content of the assertation whether the senator remembered having written to Commission. Butte, March 4.—Hope of an immediate settlement of the differences between the publishers of the daily newspapers of Butte and Anaconda and their employes, now locked out, was lost yesterday, when the Butte typographical union unanimous ly rejected a proposition submitted by Organizer Baker of the International Typographical union, the terms of which were not given out. Negotiations are off the commissioners. There was some talk about the repair of the break in the pographical union, the terms of which were not given out. Negotiations are off the commissioners. There was some talk about the repair of the break in the work and Goselin.

SENATORIAL COURTESY.

Over 150 Nominations Hung Up at Clear of Service o Questions of equipment for railroads ently, of hearing from him in connecturnished an interesting topic, Mr. tion with the service of the papers in Harriman expressing a preference for the suit. They added that tomorrow Harriman expressing a preference for the larger steel car with a capacity of 100,000 pounds, in place of the smaller cars, and especially of wooden construction, which in his opinion must be relegated to the background. Mr. Harriman also inclined to the opinion that there gradually would be an increase in the inse of electricity in railway trans-

Glover Will Not Accept.

Deadwood, S. D., March 4.-Regarding the report that Mrs. Eddy, in an effort to stop Glover's suit, has sent Rev. I. C. Tomlinson with an offer of make no objection to any will his mother may make, Mr. Glover says:

"I have received no such offer, and would not consider such offer if it were made." Judge Bennett, local counsel for San Francisco, March 4.—In what his Glover, said:
"This suit was not brought by Mr.

Glover for money or for the purpose of ag obtaining any money from Mrs. Eddy through such means, but honestly and an conscientiously for the purpose of pro-tection of Mrs. Eddy and her proper-

Mr. Tomlinson was here in January when he spent some time in Lead for purposes which have not been made

Use of United States Flag for Advertising Purposes Can Be Properly Prohibited.

Washington, March 4.—That the states may pass laws prohibiting the use of the United States flag for advertising purposes was declared by the United States supreme court today in deciding the case of N. V. Halter and Henry V. Hayward, appealing from the supreme court of Nebraska. Halter and Hayward, liquor dealers in Omaha, were prosecuted under a law of the state upon the charge of selling beer in bottles decorated with the national colors. They were fined \$50 each and the supreme court of the state sustained the verdict. They pleaded unconstitutionality of the law.

Justice Harlan delivered the opinion of the court, affirming the decision of the Nebraska courts. In the course of his opinion Justice Harlan upheld the right of the state to protect the flag against indignities. He said that the use of the flag as an advertisement on beer bottles cheapens and degrades it and the court was unwilling to hold that the constitution prohibiting such a use of the national colors is an abridgment of personal rights as contemplated by the constitution.

District Attorney Jerome Made W. H. Parrent in Sharp Battle Little Impression Upon the New Jersey Alienist.

New York. March 4.-A long stride forward in the trial of Harry K. Thaw was taken today, when District Attorney Jerome announced that his exhaustive cross-examination of Dr. Britton D. Evans, one of the alienists for the defense, had been concluded. Dr. Evans had been under fire since Wednesday morning last. He was immediately succeeded ceeded on the stand by Dr. Charles G. Wagner of Binghamton, N. Y., who accompanied Dr. Evans on most of his visits to Thaw in the Tombs. Mr. Jerome indicated that he may conclude with Dr. Wagner tomorrow.

Mrs. William Thaw Next.

Mrs. William Thaw is expected to be the next witness. With Mrs. Thaw's tes-timony in, the defense will practically have completed its case, and it seems likely that the state's case in rebut-tal may be begun before the end of the week.

week.

Just what District Attorney Jerome Just what District Attorney Jerome will be able to prove on rebuttal remains quite as much of a mystery as ever. He complained today, in seeking a broad interpretation of the rules of evidence by Justice Fitzgerald, that if he should call any of the defense's alienists in rebuttal they might refuse, on the ground of professional privilege, to answer any questions put to them.

It is not yet exactly clear to the lay mind to what extent the district attorney can go in disproving Mrs. Evelyn Thaw's testimony. He has admitted that even if he could show Stanford White was out of the country at the time of the alleged experience with Evelyn Nesbit in the Twenty-fourth street studio, he would not be allowed to disprove, on the ground that it would be a collateral fact. It appears, however, that the prosecutor can call anyone to contradict Mrs. Thaw in cases where she said she made certain statements to a third party. In this connection Mr. Jerome has indicated that he will call Howard Nesbit to testify that his sister told him Thaw had treated her cruelly because she would not tell lies about Stanford White. Jerome's Purpose Unfathomed.

de her cruelly because she would not tell lies about Stanford White.

Evans a Good Witness.

Dr. Evans left the witness stand today, subject to recall for re-direct examination. The witness protected the interests of the defense quite keenly throughout his cross-examination and at all times appeared a match for the district attorney. Dr. Evans toda, however, admitted that Thaw had a insane knowledge of what he was doing on Madison Square roof garden the light he shot and killed Stanford White.

In explaining Thaw's actions subsequent to the shooting, Dr. Evans declared that as soon as the defendant shot Stanford.

Dr. Wagner's Testimony.

Dr. Wagner also declared that Thaw had irrational knowledge of what was transpiring upon the roof garden. Dr. Wagner created a stir in court by using the present tense in responding to a question by District Attorney Jerome as to what form of insanity Thaw "has or had." Dr. Wagner declared Thaw "is suffering" from symptoms which lead of dementia praecox. Dr. Wagner declared Thaw su toward a melancholic state and a state of dementia praecox. Dr. Wagner declared Thaw's condition of mind at the time of the shooting was the result of one of the insanities of adolescence. The district attorney continued his somewhat puzzling tactics. His questioning of Dr. Evans seemed to have the purpose of showing that Thaw never was insane to the extent contemplated by the New York criminal statutes. Again, with Dr. Wagner he pointed toward the same end at one time and at another seemed at one time and at another seemed at the time and at another seemed at one time and at another seemed at the time and at another seemed and in the examination of Parrent. Was afternoon, and assisted Mr. Hanson in the examination of Parrent. The attorney counts of the examination of Parrent. The attorney store the took place on the train coming in from Denver, when a stranger was robbed of \$275. Parrent and were later arrested in Salt Lake and driven out of town, engaged a gullible stranger in a game of "matching deliars." After winning the money they were afraid to get the triout of the money they were afr

Felony in Montana to Indulge in Any Game of Chance.

Game of Chance.

Helena, Mont., March 4.—The house to-day concurred in the senate amendment to the Griffin anti-gambling bill, and it now goes to the governor for his approval or veto. The bill as amended includes every known form of gambling with cards or other devices, and the amendment referred to includes bucket shops, brokerage and the like.

The measure is one of the strictest imaginable, and holds players, owners of the buildings, proprietors of the games and peace officials equally responsible for the state.

Judge Hilton be entered as special counsel for the state.

Judge Thurman for the defense at once began cross-examining Parrent as to the film-flam game on the train on the way from Denver to Salt Lake. He asked the witness why he and his pals left the train after robbing the stranger. He said they did not care to take the chance of getting caught, so left the train when it was going through a tunnel.

"Your game," asked Judge Thurman, "was the same as you practiced here—robing people, wasn't it?"

"We didn't rob him," replied the witness. "He bet his own money."

Q.—Are not your games, as you described them Saturday, robbing people?

A.—Not in my estimation.

Ossining, N. Y., March 4.—Frank Furlong, who killed his aunt, Mrs. Margaret Keeler, in New York City in 1904, was put to death in the electric chair in Sing Sing prison today. He was 21 years of age.

of Wits With Judge Thurman.

DR. WAGNER ON THE STAND SHEETS ALIBI IS IGNORED

MOTHER OF DEFENDANT COMES CHECK IN NEWTON'S FAVOR PLACED IN EVIDENCE.

PARRENT'S SHARP RETORT.

Question, (by Judge Thurman.) -And you, an associate of thieves, are doing this because of your high moral standard?

Answer, (by Parrent.)-I don't know much about morals, but I think I have as high morals as some lawyers. I associate with thieves, for the money there is in it and you protect them for the money there is in it, I can't see much difference.

Q .- How did you come to pose as an officer?

A .- We didn't see any real offlcer around, or we would have called on him.

Q .- What? Haven't you any regard for the solemnity of an oath that you make such a statement as that? Do you mean that?

A .- I mean any officer that I was acquainted with.

Q.-What officers did you know? A .- Sheets, Raleigh, Shannon and Wilson.

Saturday by W. H. Parrent, the bunco man who turned state's evidence and implicated Chief of Police Sheets in a series of robberies and swindles similar to the McWhirter robbery, the witness was put through a cross-examination yesterday afternoon by the attorneys for the chief.

to reiterate positively that the date of the forming of the conspiracy was between Aug. 21 and 25. He said that he was sure of those dates but was not as positive as to the other dates in the case as he had been on Saturday, adding to his answers "to the best of my knowledge."

Hilton Aids Prosecution.

Judge O. N. Hilton, of Denver, the attorney for Parrent, was entered as special prosecutor for the state on motion of County Attorney Willard Hanson yesterday afternoon, and assisted Mr. Hanson in the examination of Parrent.

The attorneys for the defense brought out on cross-evamination the details of

The court room was jammed to the doors when the hearing opened yesterday afternoon. W. H. Parrent was called to the stand and Mr. Hanson moved that Judge Hilton be entered as special counsel for the state.

Judge Thurman for the defense at once became cross-examining Parrent as to the

Court Room Jammed.

Continued on Page 5.

NEBRASKA LAW IS UPHELD CORTELYOU TAKES TREASURY PORTFOLIO WHILE SHAW GOES TO TRUST COMPANY

Washington, March 4.—That the states may pass laws prohibiting the use of the United States flag for advertising purposes was declared by the United States supreme court today in deciding the case of N. V. Halter and Henry V. Hayward, appealing from the supreme court of Nebraska. Halter and Hayward, liquor braska. Halter and Hayward, liquor dealers in Omaha, were prosecuted under

showed he was deeply affected by this evidence of universal regard in which he is heid, and spoke feelingly of the sworn in as secretary of the treasury, succeeding Leslie M. Shaw, who goes to New York to become president of a in the treasury department during his

trust company.

After the close of the treasury department this afternoon, some twenty-five of the high officials of the department called on the retiring secretary, Mr. Shaw, at the Arlington hotel, and presented him with a large mahogany case containing two dozen handsome service table plates, on the back of which were engraved these words:

"Presented to Hon. Leslie M. Shaw, formerly secretary of the treasury, by some associates with him in official